



PTO/SB/21 (09-04)

Ifu

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/658,126
	Filing Date	September 8, 2003
	First Named Inventor	Wan, Julin
	Art Unit	1731
	Examiner Name	Lopez, Carlos N.
	Attorney Docket Number	02307Z-132710US
Total Number of Pages in This Submission		

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply-Request for Reconsideration	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	M. Henry Heines		
Date	Aug. 19, 2005	Reg. No.	28,219

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Mary Green	Date	August 19, 2005



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

PATENT
Attorney Docket No.: 02307Z-132710US
Client Ref. No.: 2003-144-2

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On

August 19, 2005

TOWNSEND and TOWNSEND and CREW LLP

By:

[Signature]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

JULIN WAN,
MATTHEW J. GASCH, and
AMIYA K. MUKHERJEE

Application No.: 10/658,126

Filed: September 8, 2003

For: SILICON NITRIDE/-
SILICON CARBIDE
NANO-NANO COMPOSITES

Customer No.: 20350

Confirmation No. 9694

Examiner: Lopez, Carlos N.

Technology Center/Art Unit: 1731

REQUEST FOR RECONSIDERATION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is submitted in response to the Office Action mailed August 12, 2005, rejecting claims 1-20 of the present application. Reconsideration of the rejection is respectfully requested, since the sole ground for rejection is a paper published by Applicants less than one year prior to the filing date of the present application (the three authors listed on the paper are the same three individuals listed as inventors in this patent application). While the actual publication date is not shown on the paper, the footnote at the bottom of the left column on the first page cites the date on which the manuscript was approved as **November 4, 2002**, as compared to the

filing date of the present application, which is September 8, 2003. This shows that the time period between publication of the paper and the filing date was less than one year. The month in which the paper was actually published was **March 2003**, as shown on the Table of Contents of the March 2003 issue, the downloaded version of the Table of Contents is attached hereto, listing the paper as the last entry in the Table. This further confirms that the publication occurred less than one year prior to the filing of the present application.

Furthermore, the present application claims benefit from provisional application no. 60/441,897, filed January 21, 2003, which predates the March 2003 publication of the paper. Accordingly, even though the paper was submitted by Applicants in an Information Disclosure Statement, Applicants did not state that the paper was prior art. The paper in fact is not prior art for the reasons stated above. Accordingly, withdrawal of the rejection and reconsideration of the application are respectfully requested.

Respectfully submitted,



M. Henry Heines
Reg. No. 28,219

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300
MHH:mhh
60567285 v1